

Docket No.: 043888-0325



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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Customer Number: 53080
Tsutomu OHZUKU, et al. : Confirmation Number: 3395
Application No.: 10/506,298 : Group Art Unit: 1795
Filed: September 01, 2004 : Allowed: January 09, 2009
Examiner: ECHELMAYER, Alix E.
For: ANODE ACTIVE MATERIAL, MANUFACTURING METHOD THEREOF,
AND NON -AQUEOUS ELECTROLYTE SECONDARY BATTERY

REQUEST FOR COMPLETE ACKNOWLEDGEMENT OF THE CITED ART

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are in receipt of the Notice of Allowance dated January 09, 2009.

In reviewing the file, it is noted that we have not received **complete** acknowledgement of the Information Disclosure Statement and cited art filed July 16, 2007. Specifically, **KR 2000-0017619 dated 03-25-2003** listed under **"Foreign Patent Documents (on page 7 of the PTO-1449)"** and **ROSSEN, E., et al., "Structure and Electrochemsitry of $\text{Li}_x\text{Mn}_y\text{Ni}_{1-y}\text{O}_2$ ", SOLID STATE IONICS, 1992, page 311-318, Vol. 57, Elsevier Science Publishers B.V. (on page 8 of the PTO-1449)** listed under **"Other Art"** are not initialed by the Examiner. Enclosed are copies of the Information Disclosure Statement, PTO-1449 and stamped return postcard acknowledgement. Also enclosed please find a copy of the partially initialed PTO-1449 received with the Office Action dated November 23, 2007.

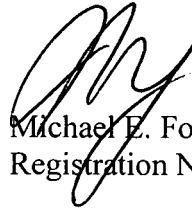
No.: 10/506,298

Applicant hereby respectfully requests that:

- (1) the **completely** acknowledged PTO-1449 be furnished to Applicant; and
- (2) the record be clarified to confirm that the cited art has been considered and made of record.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



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Registration No. 36,139

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Date: February 10, 2009

**Please recognize our Customer No. 53080
as our correspondence address.**



Docket No.: 043888-0325

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer Number: 53080
Tsutomu OHZUKU, et al.	:	Confirmation Number: 3395
Application No.: 10/506,298	:	Group Art Unit: 1745
Filed: September 01, 2004	:	Examiner: BELL, BRUCE F
For: POSITIVE ELECTRODE ACTIVE MATERIAL, PRODUCTION METHOD THEREOF AND NON -AQUEOUS ELECTROLYTE SECONDARY BATTERY		

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the documents listed on the attached form PTO-1449. It is respectfully requested that the documents be expressly considered during the prosecution of this application, and that the documents be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

02/11/2009 SZEMDIE1 00000042 500417 10536298
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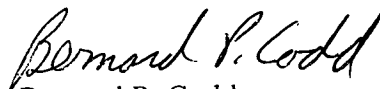
10/506,298

In accordance with 37 CFR 1.17(p), please charge the fee of **\$180.00** to Deposit Account No. 500417.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

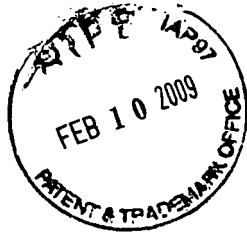


Bernard P. Codd

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Date: July 16, 2007

**Please recognize our Customer No. 53080
as our correspondence address.**



Applicant: Tsutomu OHZUKU, et al. Docket No. 043888-0325 Serial No. 10/506,298

Title: POSITIVE ELECTRODE ACTIVE MATERIAL, PRODUCTION METHOD THEREOF AND NON-AQUEOUS ELECTROLYTE SECONDARY BATTERY Patent No. _____

Date Sent: 7/16/2007 ☒ Hand Carried ☐ Fax ☐ Electronic ☐ Cert. of Mailing ☐ 1st Class Mail ☐ Express Mail No. _____

☐ Transmittal Letter

New Patent App ☐ Utility ☐ Design ☐ Cont. ☐ CIP ☐ Div. ☐ PCT ☐ RCE ☐ Prov

☐ Other: _____

pages of Specification _____

pages of Claims _____

pages of Abstract _____

pages of Formal/Informal Drawings _____

☐ Small Entity ☒ Large Entity

☐ Declaration/Power of Attorney

☐ Recordation of Assignment/Security Agreement

☒ Information Disclosure Statement

8 Form PTO 1449

63 References attached

☐ Preliminary Amendment

☐ Response to Missing Parts Notice

☐ Resp. to Notice to Correct App. Papers

☐ Certified Copy of Priority Doc.

☐ Claim for Convention Priority

☐ Response/Amendment to Office Action of _____

☐ Request for _____ month Extension of Time

☐ Letter submitting _____ pages of drawings

☐ Req. for Approval of Drawing Amendments

☐ Req. for Oral Hearing

☐ Not. of Appeal ☐ Appeal Brief ☐ Reply Brief

☐ Rule 312 Amendment/Letter

☐ Req. for Acknowledgement of Cited Art

☐ Issue Fee

☐ Publication Fee

☐ Req. for Certificate of Correction

☐ Maintenance Fee for _____ years after grant

☐ Fee Address Indication Form _____

☐ Terminal Disclaimer

☒ Korean Office Action (1)

☒ Japanese Office Actions (2)

☒ Observation of a third party - Japanese (2)



Check for	\$	<input checked="" type="checkbox"/> Charge Deposit Acct. 500417	\$ 180.00	Atty Init.	BPC	Tkpr. #	5624	Secy. or PL:	LLNguyen
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CMS Descrip.: 10-\$180

THE PATENT AND TRADEMARK OFFICE DATE STAMPED HEREON IS ACKNOWLEDGEMENT THAT THE ITEMS, CHECKED ABOVE, WERE RECEIVED BY THE PTO ON THE DATE STAMPED.